



BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, April 5, 2007

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, April 5, 2007, at 3:00 p.m., at the Police Headquarters, 1300 Beaubien, Rm. 328-A, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Jim Holley
Mohamed Okdie
Willie Hampton
Arthur Blackwell II (**ABS**)
Erminia Ramirez

Department Personnel Present

Chief Ella M. Bully-Cummings
DC Ralph Godbee
Cmdr. Gail Wilson-Turner
Cmdr. Jan Johnson
Lt. LaShinda Houser
Sgt. Rodney Cox
Sgt. Melanie Long Thomason
PO Sophia Nelms
Atty. Nancy Ninowski
Atty. Grant Ha

Board Staff Present

Dante' L. Goss, Executive Director (**ABS**)
Lawana Ducker, Personnel Director (**ABS**)
Denise R. Hooks, Attorney/Supervising Investigator
Arnold Sheard, Interim Chief Investigator
PO Kent Cooper

OTHERS

Jeffrey Nzoma
Atty. John Goldpaugh
Ron Scott
Desmond Eddings

RECORDERS

Jerome Adams
Robert Brown

1. CALL TO ORDER

Chairperson Holley called the regular meeting of the Detroit Board of Police Commissioners to order at 3:29 p.m.

Chairperson Holley acknowledged the presence of staff.

2. APPROVAL OF AGENDA

- Thursday, April 5, 2007

MOTION: **Comm. Hampton** made the motion to approve the Agenda.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. APPROVAL OF MINUTES

- Thursday, March 29, 2007

MOTION: **Comm. Hampton** made the motion to approve the Minutes.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. BOPC OFFICER'S REPORT

SUSPENSION

SUSPENSION WITHOUT PAY OF POLICE OFFICER LATHUYA WEAVER, BADGE 5055, ASSIGNED TO THE WESTERN DISTRICT INVESTIGATIVE OPERATIONS

On March 28, 2007, Force Investigation was notified of an allegation of misconduct concerning Police Officer Lathuya Weaver, badge 5055, assigned to the Western District Investigative Operations. The allegation concerned the following conduct:

On March 28, 2007, Officer Weaver, and her husband, Darin Weaver, were engaged in a verbal altercation at their residence at 8400 Camden, Romulus, MI., regarding Mr. Weaver's bathroom hygiene habit of leaving excessive water around the sink. The verbal argument escalated to removing each others clothes from the closet and throwing the clothes on the floor. At this time, they began wrestling over a telephone. Mr. Weaver took the telephone and sat down at the foot of the bed to read mail and sales advertisements. While Mr. Weaver was reading, Officer Weaver took her department issued weapon from a backpack that was lying on the floor next to the bed and fired one (1) shot over Mr. Weaver's left shoulder. The bullet went through the west wall of the bedroom and exited the west side of the house.

At approximately 1:00 A.M., on this same date, police officers from the Romulus Police Department responded to the residence regarding a domestic dispute. At that time, Officer Weaver was arrested for Felonious Assault/Domestic Violence.

On March 29, 2007, the Wayne County Prosecutor's Office issued a three (3) count felony warrant charging Officer Weaver with Felonious Assault (MCL 750.82); Discharge of a Firearm in a Building (MCL 750.234); and Felony Firearm (MCL 750.227b). In addition, Officer Weaver was arraigned at 34th District Court. A not guilty plea was entered on her behalf and Officer Weaver was released on a \$10,000.00 personal bond, with the conditions that she does not engage in any further domestic disputes and that she does not carry a firearm.

A preliminary examination is scheduled for April 11, 2007.

Based on the above circumstances, it is recommended that Officer Weaver be charged with, but not limited to, the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER, CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 – 7.9, CONDUCT UNPROFESSIONAL, COMMAND 1.

Due to the seriousness of the conduct, I am requesting your concurrence with the suspension of Officer Weaver without pay, effective April 5, 2007.

Unless **contravened** by this Board the suspension without pay will stand.

There were no contraventions.

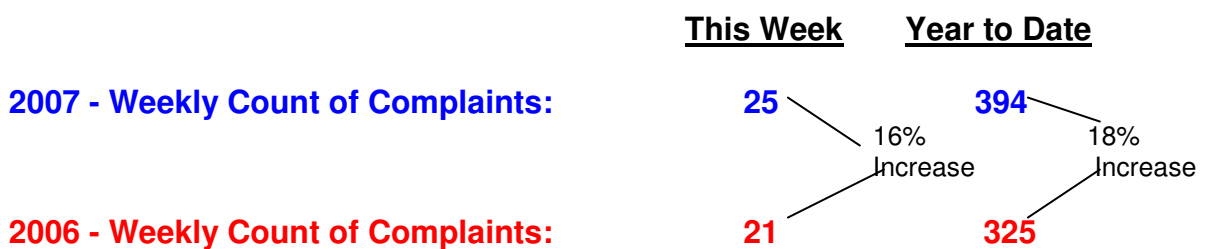
1. SECRETARY'S REPORT

OFFICE CLOSING

The Board of Police Commissioners' Office and the Office of the Chief Investigator will be **CLOSED** on the following date:

- Friday, April 6, 2007, in observance of Good Friday.

CITIZEN COMPLAINTS RECEIVED



- The Office of the Chief Investigator (OCI) closed a total of 255 cases for the month of March.
- The Office of the Chief Investigator submitted 7 cases to the Chief's Office for the month of March.
- The Office of the Chief Investigator has a total of 1,979 active investigations, of which 394 of those are for 2007.

TOTAL WEEKLY ALLEGATIONS

ARREST	2
DEMEANOR	10
FORCE	0
ENTRY	0
HARASSMENT	2
PROCEDURE	14
PROPERTY	1
SEARCH	0
SERVICE	5

TOTAL 34

COMMANDS

UNKNOWN	3
COMM/OPS	3
SW. DIST	2
CENT. DIST	4
EAST. DIST	3
WEST. DIST.	1
NW DIST.	4
TACTICAL	0
NARCOTICS	0
GANG SQUAD	0
HOMICIDE	0
NE. DIST	4

TOTAL 25

5. REPORT/PRESENTATION-CHIEF OF POLICE

April 5, 2007

Volume 3, Issue 14

SPECIAL ENFORCEMENT ACTIONS



Narcotics/Gang Enforcement

During the period of March 26, 2007 through April 1, 2007, **Narcotics/Gang Enforcement executed 57 search warrants and 27 street enforcement actions** within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- **56 Felony arrests**
 - **134 Misdemeanor arrests**
 - **1 Juvenile detained**
 - **15,404.49 grams of cocaine, 86.9 grams of heroin and 281,963.30 grams of marijuana and 2,618 pills with a total street value:**
 - **\$ 7,472,249.20**
 - **\$ 59,061.00 in U.S. Currency**
- Confiscated:
- **45 Handguns**



Engaging the Community

Police Community Services

On March 31st, officers of Police Community Services, hosted a Traffic Safety Awareness presentation at the Youth Development Commission's "Let's Play Ball 2007" Registration Fair. Parents/guardians obtained information to register their children ages 4-18, for a variety of spring and summer sports, recreational, and academic programs.



"BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS"

Detroit Police Department

Report to the Board of Police Commissioners

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.

ATTENTION

Citizens wishing to make a police report may do so at the Districts in the city of Detroit. Citizens may also utilize the following District Sub-Stations to make reports.

<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
2151 E. Jefferson	24 Hours	596-6400
7737 Kercheval	8 a.m.-8 p.m.	852-4778
13206 E. Jefferson	8 a.m.-8 p.m.	852-5759
19810 Grand River	8 a.m.-8 p.m.	935-5322
13530 Lesure	8 a.m.-8 p.m.	596-5300
12000 Livernois	24 Hours	237-2555

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Special points of interest:

- **Next meeting:**
Thursday, April 12, 2007
@ 6:30 P.M.

CENTRAL DISTRICT
TABERNACLE MISSIONARY BAPTIST CHURCH
2080 West Grand Blvd.
DETROIT, MICHIGAN 48226

Police / Community Intervention

APRIL 5, 2007



Domestic Violence

On March 27th, officers of the Southwestern District responded to the 9000 block of Schaefer on a "Domestic Violence" incident. Officers arrested the subject after a brief struggle. Subsequent to the investigation conducted by members of Domestic Violence, the subject was later charged with "'Home Invasion 1," "Felony Assault," "Resisting & Obstructing," "Child Abuse 3rd Degree," "Domestic Violence 3rd Degree," "Assault & Battery," and "Habitual 3rd."

Southwestern District

On April 2nd, officers of the Southwestern District responded to the 2000 block of Campbell on a "Breaking and Entering in Progress." Armed with a physical description of the perpetrator, the officers located and arrested the individual responsible for the crime, who was subsequently charged with "Attempt Home Invasion 1st -Degree," and "Habitual 4th."



Investigative Operations

Due to the collaborative efforts of the officers of the Northwestern District, Evidence Technicians and the Crime Lab, on March 28th, an individual was charged with "Assault with Intent to Commit Murder," "Felony Assault," and "Felony Firearm," relative to a shooting that occurred in the 6000 block of Artesian.



Central District

On March 29th, officers assigned to the Central District responded to the 1700 block of Magnolia on a "Home Invasion." Officers arrived and arrested two (2) subjects who were subsequently charged with "Home Invasion," and "Assault and Battery."



Chairperson Holley asked the Chief to give a brief synopsis on the contract that the Sheriff's Department is trying to acquire to ride on the DOT buses.

Chief Bully-Cummings stated D-DOT received about \$11 million grant funding for security on the buses. That would pay for about 40 officers. She doesn't have a problem with putting Detroit Police Officers on the buses. To make this happen, the Detroit Budget will have to be increased by that number. If not, the 40 officers would have to be taken off the street. She was not willing to do that because of the reductions in officers. She doesn't know where the Sheriff's Department will get their officers from. City Council has not voted on the contract because there are some objections from the DPOA and the liability issue. The Research and Analysis Department submitted a letter to City Council stating if the Deputy Sheriff's are allowed to ride the City of Detroit buses, they would fall under both Consent Decrees. As for the DPS contract, the department put together a proposal for the school system a year ago and there has been no movement from DPS. About a month ago, they submitted a more detailed proposal and there is no response from the School Board president.

Chairperson Holley asked was D-DOT going to give the City that Grant.

Chief Bully-Cummings stated no. The grant is a reimbursement grant, meaning that all salaries would have to be paid up front.

Comm. Hampton asked if City Council doesn't grant your concern, is there a problem with the Sheriffs having the contract.

Chief Bully-Cummings stated the Police Department would have no objections. They are already doing joint Task-Force with the Sheriff's Department.

Chairperson Holley stated if the City is broke and the County and the State are broke, where are they getting the money from to pay for those officers.

Chief Bully-Cummings stated that's not the issue. Apparently, the Sheriff has 40 people today that will not impact his operation. City Council issued a Resolution for her to put officers on the bus, and if she does that, they would have to come from the Districts.

6. STANDING COMMITTEE REPORTS

APPEALS SUBCOMMITTEE

No oral arguments were presented by opposing counsels as they concurred with the recommendation made by the Board's counsel.

In the Matter of Disciplinary Appeal **BPC 06-001D, Police Officer Brian Boykin**, badge 4295, a portion of the tape of the Trial Board proceeding was inaudible; Therefore, a full review of the record could not be made. In an effort to resolve this matter Atty. Nancy Ninowski and Atty. John Goldpaugh recommended that Officer Boykin be found guilty of Willful Disobedience of Rules or Orders, and that he be assessed a one (1) day suspension without pay and benefits. The Appeals Subcommittee recommended upholding the guilty finding, and imposing a one (1) day suspension without pay.

MOTION: **Comm. Hampton** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

In the Matter of Disciplinary Appeal **BPC 06-003D, Police Officer Clifton Andry**, badge 415, the Trial Board found the officer guilty of violating the Department's directive concerning "Conviction in a Court of Criminal Jurisdiction," following his conviction in criminal court of felony firearm, and ordered the officer dismissed. The Appeals Subcommittee recommended upholding the decision of the Trial Board to dismiss the officer.

MOTION: **Comm. Hampton** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Okdie** seconded the motion.

VOTE: All in attendance voted in the affirmative.

In the Matter of Disciplinary Appeal **BPC 06-002D, Police Officer Carlton Orange**, badge 4440, the Appeals Subcommittee recommends that the penalty imposed be reduced from five (5) days to a two-day unpaid suspension.

MOTION: **Comm. Okdie** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

In the Matter of Disciplinary Appeal **BPC 06-004D, Police Officer Ana Gorup**, badge 4908, the Appeals Subcommittee recommended that the finding be upheld, but reduce the one (1) day suspension without pay to an Official Reprimand.

MOTION: **Comm. Okdie** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

In the Matter of Disciplinary Appeal **BPC 06-006D, Police Officer Eric Johnson**, badge 2041, the Appeals Subcommittee recommends that the guilty findings be sustained, but reduced the penalty from six (6) days to a four (4) day suspension without pay and benefits.

MOTION: **Comm. Hampton** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Okdie** seconded the motion.

VOTE: All in attendance voted in the affirmative.

In the Matter of Disciplinary Appeal **BPC 06-008D, Police Officer Shawn Williams**, badge 4711, the Appeals Subcommittee recommended that the five-day suspension without pay be reduced to an Official Reprimand and that the order to reimburse the Department for the lost or stolen equipment be upheld.

MOTION: **Comm. Hampton** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Okdie** seconded the motion.

VOTE: All in attendance voted in the affirmative.

In the Matter of Disciplinary Appeal BPC 07-002D, **Police Officer Clifton Andry**, badge 415, the Trial Board found the Officer guilty and recommended his dismissal from the Department. The Appeals Subcommittee recommended that the decision of the Trial Board, with the concurrence of the Chief, be upheld in its entirety.

MOTION: **Comm. Okdie** made the motion to approve the recommendation of the Appeals Subcommittee.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

7. NEW BUSINESS

RESOLUTION

WHEREAS Sergeant William R. Whitten retired from the Detroit Police Department on June 30, 2006, after completing more than 28 years of exemplary service to the Department and to the citizens of Detroit; and

WHEREAS William R. Whitten was appointed to the Detroit Police Department on July 18, 1977. Upon graduating from the Detroit Metropolitan Police Academy, Police Officer Whitten began his career with the Seventh Precinct. His other assignments as an officer included the Court Services Section, the Sixth Precinct where he served for approximately nine and a half years, and the Commercial Auto Theft Section (C.A.T.S.); and

WHEREAS On July 24, 1998, Officer Whitten was promoted to the rank of Sergeant and assigned to the Eleventh Precinct (now the Northeastern District), where he served for the next five years. Sergeant Whitten transferred to the Medical Section on September 26, 2003, where he remained until his retirement; and

WHEREAS Sergeant Whitten was the recipient of numerous meritorious awards during his tenure, including one (1) Lifesaving Award, two (2) Chief's Merit Awards, three (3) Chief's Unit Awards, ten (10) Citations, the 1980 Government of the People Commemorative Award, and numerous letters of commendation from supervisors and citizens.

NOW, THEREFORE BE IT

RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit and for the Detroit Police Department, awards this resolution in recognition of Sergeant William Whitten's 28 years of professional and dedicated service. His integrity and outstanding commitment to public service merits our highest regards and best wishes for continued success in future endeavors.

We salute and congratulate you, Sergeant William R. Whitten.

DETROIT BOARD OF POLICE COMMISSIONERS

/s/ Jim Holley
Chairperson

/s/ Mohamed Okdie
Vice Chairperson

/s/ Erminia Ramirez
Commissioner

/s/ Willie Hampton
Commissioner

**ADOPTED BY THE
BOARD OF POLICE COMMISSIONERS** /s/ Arthur Blackwell, II
April 5, 2007 Commissioner

MOTION: **Comm. Hampton** made the motion to approve the Resolution.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

8. OLD BUSINESS

There was no old business.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, April 12, 2007 @ 6:30 p.m.
Central District
Tabernacle Missionary Baptist Church
2080 W. Grand Blvd.
Detroit, MI 48208

Atty. Hooks stated at the meeting next week, there will be a Chaplain Ceremony on behalf of the Board of Police Commissioners and the Detroit Police Department for the outstanding work they do.

10. ORAL COMMUNICATION FROM THE AUDIENCE

Chairperson Holley stated to the Chief that he received a letter from a citizen stating that he was given a ticket and his vehicle was taken from him because he was driving in a drug area. He has a copy of the, forfeiture papers. He asked can she assign someone to do a follow-up on this.

He stated he also has letters from citizen who don't want to come forward about drug activities in their areas. He also submitted them to the Chief.

Chief Bully-Cummings stated yes, they will look into it.

Chairperson Holley asked Mr. Eddings to come and tell the Chief and this Board about an incident he had with members of the department. He stated that Mr. Eddings has been under his guidance for several years.

D. Eddings stated this past Saturday he was coming out of the State Theatre when he noticed one of his friends was lying on the ground. While laughing at his friend, someone in plain clothes grabbed him around his neck from behind. His immediate reaction made him push that person, who turned out to be a police officer. He was immediately rushed by several officers. They threw his phone down and broke it, took all of his money and threw it on the ground and it blew away. He mentioned there are bruises on both of his arms and his mother took pictures the night that it happened. He stated they refused to give their names and badge numbers. He filed a compliant at the Central District. He wanted to know if he could get reimbursed for his damaged merchandise.

Chairperson Holley asked Mr. Eddings when did this take place.

D. Eddings stated around 2:00 a.m.

Chief Bulling-Cummings stated you did file a compliant.

D. Eddings stated yes.

Chief Bully-Cummings asked where did you file the compliant.

D. Eddings stated at 4747 Woodward.

Chief Bully-Cummings stated she will get his information. As for the reimbursement, that has to go through the City Law Department. You would have to call that department and get a claim form.

Chairperson Holley asked to Chief is it possible to know who those officers are.

Chief Bully-Cummings stated yes, because there is a problem every weekend at the State Theatre.

D. Eddings stated he rarely goes out but it was his birthday. He didn't do anything to the officers and he asked them to take him to jail. When he told the officer that he will be speaking with Comm. Holley, their entire demeanor changed.

Chairperson Holley stated he isn't worried about the reimbursement. He wanted to let Mr. Eddings know that the Chief will not stand for behavior like this. He would like Mr. Eddings to be able to respect the police.

Chief Bully-Cummings stated they can determine which group of officers it was. She also stated that it's the Bar Detail or Gang Squad that usually wears plain clothes, and wear their badges on the outside. She asked Mr. Eddings did he file a report at 4747 Woodward.

D. Eddings stated yes.

Comm. Hampton stated a word of advice to Mr. Eddings: "you don't want to go to jail on no weekend."

Atty. Ninowski stated today is her last day of work for the City of Detroit. It was not an easy decision for her to make, but she will be moving to Arizona along with her four (4) sisters and mother. On April 16th she will start her new job with the Mesa Police Department.

Chairperson Holley asked will she be doing the same job.

Atty. Ninowski stated yes, and she will be managing at least four other lawyers.

Chairperson Holley asked how long have you been with the department.

Atty. Ninowski stated since November 28, 1994.

Comm. Ramirez stated to Atty. Ninowski that she will be truly missed.

Atty. Ninowski stated she will also miss everyone, and it has been an honor to serve this Board and especially the Chief.

Comm. Hampton stated he echoed what Comm. Ramirez said and wishes her well.

Comm. Holley asked when is your last official day.

Atty. Ninowski stated today.

Chief Bully-Cummings stated please let the record reflect that Atty. Ninowski has been an asset to the Police Department. She really wanted to tell the Mesa Chief of Police that Atty. Ninowski was a horrible person, was not a good lawyer, but she could not do it because it would not have been the truth. She will be sorely missed as a worker and a friend.

Chairperson Holley stated he has only known Atty. Ninowski for a year or maybe more and she will be missed.

Atty. Hooks stated that Mr. Grant Ha is here; he will be taking Atty. Ninowski's place.

Atty. Ninowski stated Mr. Ha will be taking over some of the functions she had.

11. ADJOURNMENT

The meeting was adjourned at 4:11 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/rb